

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 7, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent the time for debate this morning be extended by 15 minutes; that time will be equally divided, with the final 20 minutes reserved for the two leaders, with the majority leader controlling the final 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, this morning there will be, as we have indicated, a limited period of debate prior to a cloture vote on the motion to concur in the House amendments to the Senate amendments to H.R. 6, comprehensive energy legislation.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ENERGY INDEPENDENCE AND SECURITY ACT OF 2007

Mr. REID. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 6.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the message from the House of Representatives on H.R. 6.

The Acting President pro tempore laid before the Senate the amendments of the House of Representatives to the bill (H.R. 6) entitled “An Act to reduce our nation’s dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes,” with amendments.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendments to the Senate amendments to H.R. 6, comprehensive energy legislation.

Jeff Bingaman, Max Baucus, Blanche L. Lincoln, Charles E. Schumer, Jon Tester, Robert Menendez, Jack Reed, Tom Harkin, Mark Pryor, Patty Murray, Ron Wyden, Dick Durbin, Maria Cantwell, Byron L. Dorgan, Robert P. Casey, Jr., Kent Conrad, Bill Nelson.

Mr. REID. Mr. President, I ask the mandatory quorum be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Who yields time?

The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I might say, first, to my side of the aisle, and any of those who are on our side, if you want to speak, just let me know. I have no reason to need all the time. If any of you would like to speak, I will be glad to yield.

With that out of the way, let me say it wasn’t many months ago when this Senator believed, as a bill passed the U.S. Senate and went its way to the House, that because of some very courageous Senators we had finally reached a point where we could tame that voracious lion that was eating up all the oil that we could import in transportation, in automobiles, trucks, diesel trucks, and the like. We know that was the biggest guzzler of imported fuel oil that America had.

A committee on which I did not serve—nor did my chairman, Senator BINGAMAN serve on, although we were putting a bill together—the Committee on Commerce, headed by Senator INOUYE and the ranking member, Senator STEVENS, with Senators such as TRENT LOTT on it—they had a lot of courage. They decided to put on our bill as part of an energy bill the first major change in the fleet automobile standards for the United States. What

courage that took and how happy many of us were that committee had finally done that.

Couple that with what had been done in the other committees in the Senate, including that which was done by the Energy Committee itself, and we put together a very exciting bill. It went to the U.S. House of Representatives as a bill that contained the provision I just spoke of. It contained a very large provision, a major provision—what I would call the ethanol 2 provision to save ethanol for the future, so it would not continue to have trouble, and then build on the next 15 years a major gigantic bill for further ethanol to be produced from other than corn. That bill was a giant bill, and it went to the House with some other small pieces. But no taxes were in that bill, and the proposal that we would mandate all of the States to have 15 percent of their electricity produced from alternative fuels was not in the bill.

It went to the House and there it sat. Senator BINGAMAN and I thought we were negotiating with the House over the months under a proposal that said the two of us represent the Senate, and we will sit down with the House Members and see, since we cannot have a conference—there was no way to get a conference on our bills because of objection in the Senate—we would sit down together and produce a bill based upon the bill that had left the Senate and clearly some of the things that had been done in the House. It was pretty clear we could get a great bill out of that and would have the same basic format that I just described.

After talking it through and getting to the point where we were ready to go, the House decided to go its own way and leave us standing. Then they used our bill which we had sent them, that was built around an Inouye bill—they used that to put together a bill that came through the House yesterday and is before us today.

The first thing that went awry is a Senator like myself, 35 years in the Senate—I had never been dealt with this way ever before in my time in the Senate, where I was asked to do something by a committee, we were in the process of doing it, and then a committee backs out and uses the work that was done by the working group, including this Senator, to produce a new bill.

That new bill is before us today, and it contains taxes which the President says he will veto—and he sent us the message. The message is here: If those taxes are on this bill when it arrives at his desk, all our work will have been for naught. If the provision for mandatory electric alternatives, the 15 percent mandated across the land, or 15 minus 4, as it sometimes is used—the President said if that is in there he will veto the bill. So we could waste our time or we could do something meaningful. Today we are starting down a

path, trying to do something meaningful.

We worked very hard to see if we can't gather up more than 40 Senators who will vote with us so we will not impose cloture on this message. I say to my fellow Senators, please understand, there is no bill before us. It is a message, and there is a very big difference between a bill and a message. I had almost forgotten about it because I don't think I managed a message very many times in 35 years. But a message has a lot of nuances to it that are different: the number of amendments, the frequency that you can have amendments, and a whole lot of things.

Senators will wake up next week and find that many amendments they would try to offer are shut out because of the number of amendments you can offer because of the rules that apply to messages. I want them all to understand I am not promising anybody they can get amendments in if they win this vote today on my side. We will have to follow the rules and see what we can do. But we stand this close to getting the most important Energy bill, from the standpoint of conservation of crude oil products—gasoline, for instance, and diesel fuel—we stand just the distance between Senator BINGAMAN and me away from getting that kind of bill.

What we must do is not fly in the face of reality. Reality says you cannot put taxes on this bill. The Senate already defeated the taxes that were on this bill. We all remember that day. We voted and took the taxes out of the Energy bill that Senator BINGAMAN and I were operating under. The taxes went.

In addition, we did not put on that bill what is now being called the alternative energy tax or some such thing. What it means is the electric utilities across the land out in the future are going to have to use 15 percent alternative fuel to coal. That is tough. That is a tough one to do. If that is on the bill, because it is harmful to the economy, a one-shoe-fits-all philosophy should not work, will not work. The President of the United States, through his operatives, has told us he will veto the bill.

Senators, I hope you vote with us and do not impose cloture. Then I hope the majority leader and the minority leader and Senator BINGAMAN and Senator INOUYE, Senator STEVENS and myself, and whoever otherwise properly fits, will sit down together and work this out as to how we modify this bill that is before us—which is not a good bill now, but it can be turned into a great bill with some work—could be sent back to the House, and in no time we could tell the American people we have finally done something extraordinary for them.

I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. There is 17½ minutes of which 10 is reserved for the leader.

Mr. BINGAMAN. Mr. President, let me speak first in support of this bill and going forward with cloture. I acknowledge the procedure we have gone through to get to this point has not been ideal. Clearly, when we were unable to get agreement to appoint a conference in the Senate, it became clear we were going to have to use a very awkward procedure. That is what has happened. But the substance of what is before us contains a substantial amount of very good public policy. These are policies we have tried very hard to enact for a very long time. On the whole, I believe this bill represents significant forward progress.

Let me mention a few of the things the bill does that I think are very worthwhile. First, the legislation brings about major improvements in vehicle fuel efficiency. My colleague, Senator DOMENICI, referred to that and clearly that is a centerpiece of this legislation, the improvements of corporate average fuel economy standards.

In addition to this hard-won compromise on CAFE, the bill will increase the production and use of biofuels with a particular emphasis on biofuels from cellulosic feedstock. That also is something the President spoke to us about in the State of the Union speech that many of us support, and it is a strong part of this legislation.

So I think the combination of improvements in CAFE standards and increases in production and use of biofuels are efforts we have had underway for a long time, and I believe it is important for us to continue with those efforts.

The bill also, beyond those two items, will boost energy efficiency on an economywide basis. It has numerous provisions improving efficiency standards for household appliances. It has provisions to establish efficiency standards for lightbulbs, for lighting fixtures, efficiency provisions related to building construction, which is very important throughout the country, requirements for greater efficiency savings from the Federal Government across the board. All of that is positive.

The legislation also makes significant contributions in the area of renewable energy technologies. It would increase our commitment to research and development of these renewable energy sources. It would help to demonstrate and commercialize the carbon capture and storage technologies.

It helps us by putting in place extensions of important tax incentives to increase both energy efficiency and more production of energy from renewable sources. And it will, as my colleagues pointed out, require electric utilities to produce 11 percent of their energy from renewable sources by 2020.

I know that is a controversial provision in this bill. I know there is a great concern on the part of some Members here. Frankly, I do not share most of that concern. The Senate has passed a renewable electricity standard three different times. In the last three Con-

gresses, we have passed such a provision with strong majorities in each case.

It has now passed the House of Representatives two times. It seems strange to me to say that this should be a showstopper; this should be something we need to suggest a possible veto about.

I could go through the arguments at great length, but let me just point out this is not a 15-percent requirement as it has been advertised and described by many; it is an 11-percent requirement, and the additional 4 percent that makes up the 15 percent can be achieved through energy savings, efficiency savings. Clearly, that is preferable. It also is substantially less ambitious in the first few years than what we were considering in the Senate before and, in fact, what we have passed through the Senate before.

So this is a provision I think Members can support. It is one that can give us lower greenhouse gas emissions, thousands of new jobs, cleaner air, and greater energy efficiency. It can do all of that at a low cost and perhaps even a savings to consumers because many studies have shown that the adoption of an electricity standard such as this, a renewable electricity standard, will have the effect of reducing the price of natural gas. It will take pressure off the price of natural gas and thereby reduce the price of natural gas. So we should pass that provision as part of this legislation.

The American Council for an Energy Efficient Economy has estimated that when you total up all of those provisions I have elaborated here, the legislation before us would reduce U.S. energy use by almost 8 percent in 2030 compared to current Department of Energy forecasts. In doing so, these added efficiencies would reduce projected carbon dioxide emissions by 10 percent and save consumers more than \$450 billion by 2030.

On balance, I believe the energy legislation we have before us deserves the support of my colleagues. It is not perfect in every respect. Legislation of this size and complexity obviously cannot be. However, it represents an opportunity to make significant steps forward in a number of key areas of energy policy. With the passage of this legislation, we can reduce our dependence on oil, we can increase our consumption of homegrown fuels, we can provide substantial savings to consumers, and we can create many new jobs. I think it is a real step forward, also, in curbing greenhouse gas emissions.

Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. The Senator has 40 seconds remaining.

LOAN PROGRAM FOR ADVANCED VEHICLE TECHNOLOGY VEHICLES

Ms. STABENOW. Mr. President, I rise to engage in a colloquy with the Majority leader, Senator REID. I do so

to discuss a critical measure that will help keep jobs in the United States and give a major boost to the domestic production of energy-efficient vehicles.

As my colleagues know, the pending energy bill has a 40-percent increase in CAFE standards for vehicles sold in the U.S. This is by far the largest mandate on any industry in this bill.

In addition to this mandate, I am pleased to have led the effort working with Congressman DINGELL, Senator BINGAMAN, and others, to include a new program in the bill that would provide \$25 billion in low-interest direct loans to the auto industry to help them retool facilities to produce energy-efficient vehicles to comply with the very challenging CAFE standards in the bill.

I believe that this loan program is only fair since we are asking the auto industry to spend approximately \$80 billion in new capital investment to comply with the new CAFE title.

As many of my colleagues know, establishing a loan program of this type is a two-step process. The first part, setting up the program, has been accomplished. The second part, however, providing the resources to back the loans, has not yet been done.

So I rise to ask Senator REID, as you complete negotiations on a final energy bill, will you give me your assurance that you will provide the resources necessary to fund the loan program that is authorized in the current energy bill?

Mr. REID. Mr. President, no one works harder on behalf of her constituents than Senator STABENOW. She is a real leader in keeping manufacturing jobs in the United States.

Mr. President, I give the Senator from Michigan my word that I will work with her and the Appropriations and Finance Committees to find and provide the resources that would fully implement this loan program.

Ms. STABENOW. I thank Senator REID for his assurances and all of his leadership on the energy bill.

Mr. LEVIN. Mr. President, I will vote to invoke cloture on the motion to concur in the House amendment to H.R. 6, the Energy Independence and Security Act, because I believe we need to move forward to address our Nation's continued dependence on imported oil, increase our energy independence, and reduce greenhouse gas emissions.

The House amendment to H.R. 6 is a significant improvement over the bill the Senate passed in June. H.R. 6 will require new vehicle fuel economy standards that will be challenging for auto manufacturers. Reaching a fuel economy level of 35 miles per gallon by 2020 is ambitious, but unlike the Senate passed bill, the provisions of this amendment provide greater flexibility and predictability for auto manufacturers in meeting those standards. The CAFE provisions of this amendment are not perfect, and I believe that additional improvements could be made. But this amendment includes positive language on some important issues to

the auto manufacturers and their workers by requiring separate car and truck standards, preserving domestic jobs with an antibacksliding provision, and extending flexible fuel credits until 2014. Significantly, this amendment also maintains a key reform obtained during Senate consideration of the bill. By setting standards based on vehicle size rather than having a fleetwide average for each company, we will end the many years of discriminatory impacts on domestic manufacturers imposed by the existing CAFE system.

Mr. INOUYE. Mr. President, I rise today in support of the Energy Independence and Security Act. In particular, title I, otherwise known as the Ten-in-Ten Fuel Economy Act, would mandate an increase in automobile fuel economy to a nationwide fleet average of 35 miles per gallon by 2020. This is the first statutory increase in fuel economy standards for cars since 1975. In addition, the Department of Transportation would adopt fuel economy standards for medium and heavy duty commercial vehicles for the first time.

With the cost of oil at approximately \$90 per barrel, reducing our dependence on oil is of vital importance to our national security, economic stability, and consumer welfare. The Ten-in-Ten Fuel Economy Act is a major step forward toward achieving these goals. In addition, the act would dramatically reduce greenhouse gas emissions by 2020 and demonstrate to the world that America is a leader in fighting global warming.

Legislation of this magnitude could have only been achieved through the hard work of a coalition of Members. In this case, without Senators FEINSTEIN, STEVENS, SNOWE, KERRY, DORGAN, LOTT, CARPER, BOXER, DURBIN, ALEXANDER, CORKER, and CANTWELL, the agreement would not have been reached.

In particular, I wish to congratulate Senator FEINSTEIN on her efforts in developing this bill. Her dedication over the years has led us to an agreement that very few thought possible. I would also like to praise the efforts of my good friend Senator STEVENS, who was instrumental in forging the compromise before us. His work in the Commerce Committee, on the Senate floor, and in negotiations with the House reflects his commitment to working in a bipartisan fashion.

Speaker PELOSI and Majority Leader REID recognized the importance of the issue and have made fuel economy a major focus of the Energy bill. I thank them for their support and dedication.

I would also like to thank Chairman DINGELL and Senators LEVIN and STABENOW for their hard work and willingness to achieve an agreement that aggressively improves fuel economy while protecting the domestic automobile manufacturing base and U.S. workers. Their leadership, honesty, and technical expertise have been invaluable. The American automaker and autoworker have no better advocates.

Finally, I would like to express my appreciation to all the hard-working members of the staff who worked to make this historical legislation a reality. In particular, I would like to commend David Strickland, Alex Hoehn-Saric, Mia Petrini, and Jared Bomberg of my Commerce Committee staff for a job well done.

The importance of this legislation cannot be underestimated.

During the Arab oil embargo in 1973, Americans suffered the first devastating effects of our addiction to oil. Our vulnerability to curtailments in supply became apparent. While waiting in long lines at gas stations, we felt the immediate need for conservation, alternative energy sources, and more efficient use of energy, especially in the transportation sector. Born out of this embargo, Congress put in place a fuel economy program that nearly doubled the gas mileage of cars from 1975 to 1985.

Today's agreement marks historic progress. It is the first of its kind since 1975 and is a major step toward addressing our Nation's energy needs. Title I of the bill will save approximately 1.1 million barrels of oil per day in 2020—equal to one-half of what we currently import daily from the Persian Gulf. By the year 2020, the legislation will save consumers approximately \$22 billion at the pump and prevent approximately 200 million metric tons of greenhouse gases from polluting our environment each year.

A diverse group of constituencies support the Ten-in-Ten Fuel Economy Act, from environmentalists to automotive workers and automakers. While it sets forth aggressive standards, the act also recognizes the challenges faced by the auto industry and ensures that those concerns will be addressed. For one, it provides flexibility to the automotive industry. The sponsors of these fuel economy provisions have worked together in a bipartisan manner to ensure that automakers have the tools they need to meet the requirements enumerated in the act.

The Ten-in-Ten Fuel Economy Act directs the Secretary of Transportation to create two fuel economy curves, one for passenger cars and one for light trucks. This change from the Senate-passed bill provides the certainty that American automakers, auto workers, and car dealers requested, but the act still requires that the combined car and light truck fleet meet a fuel economy standard of at least 35 miles per gallon by 2020.

The act also provides automakers with the option of earning flexible fuel credits at a tapering rate set to expire in 2019. These credits will incentivize the production of millions of flexible fuel capable vehicles while assisting automakers in achieving the target of 35 miles per gallon by 2020.

Passage of this bill will ensure that our Nation's energy priorities start moving in the right direction. Higher fuel economy standards will wean the

country of its oil addiction, put billions of dollars of savings back into our domestic economy and significantly reduce greenhouse gas emissions.

Our actions today will improve national security, create jobs, help consumers, and protect the environment. At times, it is the Government's responsibility to balance conflicting interests. Today, I believe we found that balance.

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I ask unanimous consent that I be able to speak on the leader time for up to 3 minutes. That would come off Senator REID's time. When Senator MCCONNELL comes, I will yield to him at that time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I think this is a great moment for the Senate. I was hoping that we could, in fact, get 60 votes for this particular version of the Energy bill. It does not appear likely that will happen for reasons I am sure Senator DOMENICI has stated.

I think the bill, as it is before us, deserves to get 60 votes, deserves to get 80 votes, deserves to get 100 votes, because at a time of very high prices of oil, gas at the pump going toward \$4 in my State, heating oil going up at a rapid rate, affecting people mostly in the Northeast and other areas, we should take bold action.

I wish to say to Senator BINGAMAN in particular how grateful I am for the work he has put into this measure. I am sure Senator DOMENICI did as well, but I had to work very closely with Senator BINGAMAN and his staff and my staff. This has been very difficult. I also wish to say that Speaker PELOSI showed her amazing skill working with JOHN DINGELL and others over in the House to get this bill to where it is today. The American people are very clear with us: They want action on the issues that impact them every single day. And this is one.

I want to say that the other day—and you know this well, Mr. President, because you are on the Environment and Public Works Committee—we voted out a very strong bill, a very strong bill to deal with the problem of global warming. One of the great things about dealing with global warming is that the cure for global warming is going to mean less reliance on foreign oil, alternative fuels, and the rest. We are clearly taking action in this Senate to move to solve the problems that face us.

I see Senator MCCONNELL is here, and I will conclude in 30 seconds.

I hope we will have strong support for this bill. We have many provisions in here that were voted unanimously out of the Environment Committee, including green buildings and DOE solar wall and many other energy efficiencies in our Government buildings that I think are going to work well for the taxpayers, and finally doing something about CAFE standards—very important. So congratulations to everyone who worked so hard getting to this point. I hope we can get 60 votes. If we don't, I hope we can certainly get 60 votes for the next try.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, there is a difference between passing a bill and actually making laws. The bill before us is a prime example. The majority started with a bipartisan agreement that can be passed in both Houses and signed by the President; in other words, it could actually become law. It chose, instead, to add the twin milestones of utility rate hikes and massive tax increases. The end result is that the House passed a bill, but it will not become law. So there is a clear difference between making a partisan point and having an accomplishment. I hope at the end of this process, as it unfolds here before Christmas, we will actually make law.

Again, we can look at the current bill as an example. Rather than take the elements of the bill that had near universal support and have an accomplishment on behalf of their constituents, the majority chose instead to make a partisan point.

Now, I understand that the House is a different place, that the Speaker rules, as the Senate majority leader put it Wednesday, "with an iron fist." While she can muscle bills through the House on a party-line vote, it does not work that way over here. We have shown that all year on numerous political votes the majority has put on the floor. We have shown that already this week on the AMT. When the majority tried the "my way or the highway" approach, the bill failed. When they worked with us on a bill that could pass, we succeeded by a vote of 88 to 5. That I would call success. The same is true of the farm bill. When the leadership of the majority tried to dictate to the minority what amendments we could offer, the Senate spun its wheels and got nowhere. But when the majority worked with us, the result was a mutually beneficial agreement that will soon lead to an accomplishment that both sides can be proud of.

But the bill we are voting on today is a massive tax hike and a utility rate increase for consumers across the Southeast. It is not a serious attempt to make law, and it is not a serious attempt at an accomplishment. It is a partisan bill that must be improved or set aside.

So let's not waste even more time rehashing the lessons of the past 11

months. If you are serious about an accomplishment, let's fix this bill. Walking away from a bipartisan deal in favor of raising taxes and raising utility rates, as the House majority has done, will not make a law. But working with us to find common ground to increase the use of renewable fuels and raise fuel economy standards to historic levels without costing American jobs is something that would enjoy widespread support. I stand ready to work with all our colleagues on a realistic bipartisan bill, but I will vote no on this partisan tax increase and this rate increase for consumers and urge our colleagues to do the same.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I move to concur with the House on the message they have sent us.

The ACTING PRESIDENT pro tempore. The motion is now pending.

Mr. REID. Mr. President, we have worked very hard this year to accomplish goals. But it takes a lot of work because everything we have done has been after having filed cloture on sometimes multiple occasions, trying to terminate debate on the other side. My friend, the distinguished Republican leader, said, finally, we did the right thing on the farm bill. The only reason we were able to get agreement on the farm bill is because cloture likely would have been invoked this morning. The farm and ranching communities in America are up in arms that the Republicans have stalled the farm bill for months. I am satisfied where we are. It has been difficult to get where we are. We will work through the farm bill and finish it. But for people to indicate it was the result of how we handled the legislation that has taken so long to get there is without foundation.

This bill, the Energy bill, the vote we are going to take in a few minutes is a historic vote. We hear words all the time in the Senate about "landmark" and "historic." These words are often used but occasionally appropriately. Now is the time to talk about historic. This is a historic vote. This Energy and Security Act will finally put America on the right track to solve our grave and growing energy crisis. No superlative is too strong to express how important this is to our country's future and, to a certain extent, the world's future, because we are the ones polluting the air more than any other nation in the world, by far. Today, America consumes 21 million barrels of oil; tomorrow, 21 million barrels plus a few more. It is not going down; it is going up. Most of this oil comes from very unstable regions of the world.

What did President Chavez say from Venezuela during the height of his recent constitutional crisis? He said: We will cut off oil supply to the United States.

Think about that. We are dependent on this tyrant for our oil. But he is not

the only tyrant we are depending on for oil. The most tyrannical governments in the world today exist in the Middle East, countries we ask for oil. Some say the war in the Middle East that is going on now is based on oil. I don't necessarily believe that, but people who do are not in any way without foundation and reason.

With the 21 million barrels of oil a day going to these nations that have these despotic governments, we send as a nation at least a billion dollars every day overseas to pay for our oil addiction. Those 21 million barrels we will use today and those we will use tomorrow have created a three-pronged crisis that threatens our economy. On my last trip to California, I saw prices on the pumps of more than \$4 for a gallon of gasoline. Our national security, the example I gave for the dictator of Venezuela, is that affecting our security? Of course, it does. That is only one example. Our environment, does it affect our environment using 21 million barrels of oil a day, 65 percent of which is imported from these individuals and governments I talked about? What does this do to our environment? It pollutes it.

The cost of the pollution in our environment is affecting us from a health perspective. In June, the Senate took action to begin reversing these threats. We passed the Energy bill with a bipartisan vote of 65. It was a good vote. But the House has done even better than we did. They have sent their version to us with a strong majority. I urge all my colleagues to concur with the House bill and send this critical legislation to President Bush. As I have indicated, with gas prices all over the country, with a gallon of gasoline being more than \$3 and working Americans spending more than ever to make their commute to work, the time to act is not tomorrow. It is now. With home heating prices at record highs and the cold winter months now upon us, the time to act is now. With the threat of global warming growing by the day—and that is why there are more than 10,000 people assembled in Bali as we speak to talk about the global warming that is taking place—the time to act is now.

I so appreciate the chairman of the Environment and Public Works Committee and the work they are doing in that committee on the bipartisan measure reported out of that committee this week, Lieberman-Warner, led by the committee chair, Senator BOXER, to report out a global warming bill. The first global warming bill that meets the needs of our world was reported out of that committee this week. Now this bill adds to that. I appreciate very much the work of the chairmen who worked to get the bill out of the Senate and who worked to get the measure from the House to us: Senator BINGAMAN, Energy and Natural Resources; Senator INOUYE, Commerce; Senator BOXER, Environment and Public Works. That is the bill we have before us.

The bill tackles each of the supply challenges by addressing both sides of the crisis—consumption and supply. On the consumption side, it increases fuel efficiency of cars and trucks for the first time in 30 years to 35 miles per gallon. That is significant. Think about it. What was America like with its automobiles 30 years ago? Think back to 1976. Cars didn't come with airbags. They were just getting cassette players. We had advanced past the invention of the eight-track stereo. We now have cassette players. The closest thing you could buy to the Global Positioning System we now have on a lot of vehicles was a map. You went to a service station and most of the time they gave you that map. You would look at the map. My wife, we used to joke, she was the navigator as we proceeded with the kids in the backseat yelling and screaming. That is how we found our way. The navigator was my wife. That is not the way it is now.

Things have changed in those 30 years. Today we have cars that were, in the past, science fiction, a hybrid electric car. My wife has one. It runs on a big battery and it runs on gasoline. She loves her car, but it is new. She bought it a few months ago. Ethanol cars, cars burning fuel produced from corn and other products, and electric cars, total electric cars—these things will add to the ability of Americans to lessen our dependence on foreign oil.

But this bill we have now, with increasing the CAFE standards, will save American families at least \$1,000 a year at the gas pump. For our country, it will save a total of \$22 billion by 2020, \$22 billion a year. It will also reduce greenhouse gases by the equivalent—listen to this—of taking 28 million cars and trucks off the road. We take 28 million cars and trucks off the road by passing this legislation. That is pretty good. It will also reduce greenhouse gases in other ways. This increase to 35 miles per gallon is supported by the environmental community. Of course, it is.

If my time has expired, I will use leader time now.

The increase to 35 miles per gallon is supported by the environmental community. Of course, it is. But it is now supported by the automobile industry. As a result of that, the vote time will be extended, Mr. President. I ask unanimous consent that be the case.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I got a letter in my office this week from Ron Gettekfubger, president of the United Auto Workers Association, saying: Thanks for your work on the Energy bill. The automobile workers, Detroit favors this legislation. The environmental community, the unions, and the automobile industry, a pretty good deal. That wasn't the way it was a short time ago. That is the way it is now. The environmentalists support it because it will make our air cleaner

and take one step on the long road to stem the tide of global warming. The automobile industry supports it because they know they can do it, and they know it will make them more competitive. It will make the American automobile industry more competitive.

It also saves Americans hundreds of billions of dollars through other things, new energy efficiency standards for appliances, lighting, and buildings. If you have a washing machine that consumes 40 gallons of water and another that does a good job with 10, we should save those 30 gallons. That is the principle we are working on. If one light bulb lasts as long as three light bulbs, we ought to save that electricity. It is common sense, and that is what this legislation does. But consumption is half the battle.

On the supply side, this Energy bill requires, for the first time, that 15 percent of our electricity comes from renewable sources. That doesn't sound like anything that is too big of a hill to climb. What is more, this renewable energy portfolio rewards innovation by allowing States—lots of States but, for example, Nevada—that have already taken the initiative and are national leaders on alternative energy to sell their excess product to other States. I have heard some complain: Nevada has more wind and more Sun and more geothermal than other States. The news last week was, we are now, off the coast of Florida, going to be producing electricity with the current, with waves. Nevada doesn't have any currents or waves. So it all balances out. That is what this is all about. It rewards innovation. That is what America has been about since we were founded. This legislation makes an unprecedented commitment to American-grown biofuels by increasing the renewable fuels standard to 36 billion gallons by the year 2022, which will not just reduce our addiction to oil but create American jobs as well. It repeals billions and billions of dollars in tax giveaways to big oil that exports product from overseas and invests it instead in tax incentives to produce clean, renewable energy right here at home.

All across America, businesses, entrepreneurs, and local governments are taking the lead to solve this energy crisis. On my last trip to Silicon Valley, the discussion with these geniuses was on two topics: health care and energy. The great minds of America are focusing on this. They need some incentives. You can't invest unless there are some incentives in this new field. All they want is a tax credit here, a tax credit there. They deserve that. With these great minds, they will take us much further than we can imagine.

In California, for example, a professor is working on a new technology that can manufacture fuel out of simple plant material in any industrial park in America. In Pennsylvania, Amish farmers are charging their

buggy batteries with solar power. In Nevada, local governments are using solar energy at water pumping stations to move water uphill, something that in the past would have required tremendous nonrenewable power. That kind of innovation is exactly what America does best. But as of right now, the Federal Government is lagging, not leading. This must change, and today it can.

Our energy crisis will not be solved overnight, but this bill that is now before us is a crucial big, big first step. So let's take that step together. To do so, we cannot let procedural disputes get in the way of this much needed bill.

My Republican colleagues objected to this bill before going to conference. I wish we could have gone to conference. But that is their right. Even without a conference, we worked with Republicans, consulting on and sharing proposed language. And that is an understatement. Many provisions were removed and modified at the request of Republican Senate and House Members.

We have acted on this bill in good faith. Now it is time for Republicans and Democrats to put politics aside and unite behind a bill that will deliver a cleaner, safer energy future for all of America.

Mr. President, after this vote, there will be no more votes today. The next vote will be Tuesday morning. I have spoken to Senators HARKIN and CHAMBLISS. They are going to work on the farm bill this afternoon to try to have some amendments offered. I would hope those people who want to have 1 of the 20 amendments on each side will start offering these amendments. We are going to move through and finish the farm bill before we leave here, and we can complete some of that work today, and also Monday afternoon.

On Monday, as I have just indicated, there will be no votes, but we are going to come in Monday afternoon and work on the farm bill. We will get back to this bill on Tuesday. I will be conferring with the distinguished Republican leader and other Republicans to decide how we are going to proceed. I have an idea, but I want to make sure they are in tune with what we are doing.

I appreciate everyone's cooperation yesterday, and I hope we have a productive day today.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendments to the Senate amendments to H.R. 6, comprehensive energy legislation.

Jeff Bingaman, Max Baucus, Blanche L. Lincoln, Charles E. Schumer, Jon Test-

er, Robert Menendez, Jack Reed, Tom Harkin, Mark Pryor, Patty Murray, Ron Wyden, Dick Durbin, Maria Cantwell, Byron L. Dorgan, Robert P. Casey, Jr., Kent Conrad, Bill Nelson.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendments to the Senate amendments to H.R. 6, the Energy Independence and Security Act of 2007, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Nevada (Mr. ENSIGN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Arizona (Mr. KYL), the Senator from Florida (Mr. MARTINEZ), and the Senator from Arizona (Mr. McCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 416 Leg.]

YEAS—53

Akaka	Feinstein	Nelson (NE)
Baucus	Harkin	Obama
Biden	Inouye	Pryor
Bingaman	Johnson	Reed
Boxer	Kennedy	Reid
Brown	Kerry	Rockefeller
Cantwell	Klobuchar	Salazar
Cardin	Kohl	Sanders
Carper	Lautenberg	Schumer
Casey	Leahy	Smith
Clinton	Levin	Snowe
Coleman	Lieberman	Stabenow
Collins	Lincoln	Tester
Conrad	McCaskill	Thune
Dodd	Menendez	Webb
Dorgan	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feingold	Nelson (FL)	

NAYS—42

Alexander	Cornyn	Landrieu
Allard	Craig	Lott
Barrasso	Crapo	Lugar
Bayh	DeMint	McConnell
Bennett	Dole	Murkowski
Bond	Domenici	Roberts
Brownback	Enzi	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Specter
Byrd	Gregg	Stevens
Chambliss	Hagel	Sununu
Coburn	Hatch	Vitter
Cochran	Inhofe	Voinovich
Corker	Isakson	Warner

NOT VOTING—5

Ensign	Kyl	McCain
Hutchison	Martinez	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 53, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from New Mexico is recognized.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, this doesn't mark the end of this bill. This marks the beginning of completing a process in the Senate so we will have a

bill that can be signed and that will be an excellent bill for the American people. That means we have to go to work in trying to fix some of the problems the House bill has generated for us.

First of all, we are talking about ethanol II, the successor to the ethanol bill we passed, which includes a very hopeful future for wheat and the kinds of things that are going to go into the thing that follows ethanol. We cannot accomplish them, it seems to us, with what they have in this bill. We have to look at that and see what we can do to fix it. In addition, we have to do something about both taxes and the mandatory 15 percent that is required for electric generation in this bill. We have to look at that and others.

I hope this sends a signal so Senator BINGAMAN and I—he as chairman and I as ranking member—can work with everybody who has concerns and put together an amendment we can offer that sends this bill back to the House, corrected and fixed, where it can become law and where it is more to the accomplishment of what we expected when we passed the bill in the Senate.

I note the presence of Senator BINGAMAN. I hope he concurs. Our staffs ought to go to work and have something by Monday, I hope.

I yield the floor.

Mr. BINGAMAN. Mr. President, I do think we can make some changes that would make this bill acceptable to a vast majority of Senators. I look forward to working on that along with my colleague. I know the majority leader intends to revisit this issue as soon as this next week, perhaps.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Ms. LANDRIEU. If I may, I will add a comment to what the chairman said. I voted against cloture this morning, but I am most certainly willing to come to a compromise on some of the issues and get an agreement between the two sides, and I look forward to working over the weekend to that end.

The ACTING PRESIDENT pro tempore. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I add that I appreciate Senator BINGAMAN for his fair and good leadership. Particularly, I thank Senator DOMENICI, who understood the problems some of us have had in our region with the high cost of electricity that would occur if this bill were to pass as it came back from the House.

I do think the legislation has a lot of good things in it. Hopefully, we can work forward in a way that we can pass it because we have a need to be more energy independent, and we need to create more energy in a cleaner way. I thank Senator BINGAMAN and Senator DOMENICI. I am optimistic we will reach that agreement.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii is recognized.